

CERT  
 MICHAEL C. VAN, ESQ.  
 Nevada Bar No. 003876  
 MICHAEL C. VAN, CHTD.  
 4129 West Cheyenne Avenue, Suite A  
 North Las Vegas, Nevada 89032  
 Telephone: (702) 215-4816

Attorney for Dean Shackley

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2007 JAN 12 P 3:51

U.S. BANKRUPTCY COURT  
 PACIFIC CREDIT CLERK

**UNITED STATES BANKRUPTCY COURT  
 FOR THE DISTRICT OF NEVADA**

\* \* \*

In re:  
 USA COMMERCIAL MORTGAGE COMPANY,  
 Debtor.

Case Nos:  
 BK-S-06-10725-LBR  
 BK-S-06-10726-LBR

In re:  
 USA CAPITAL REALTY ADVISORS, LLC,  
 Debtor.

BK-S-06-10727-LBR  
 BK-S-06-10728-LBR  
 BK-S-06-10729-LBR

In re:  
 USA CAPITAL DIVERSIFIED TRUST DEED  
 FUND, LLC, Debtor.

JOINTLY ADMINISTERED  
 Chapter 11

In re:  
 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 Debtor.

**CERTIFICATE OF MAILING OF  
 PROOF OF CLAIM FOR DEAN SHACKLEY**

In re:  
 USA SECURITIES, LLC,  
 Debtor.

Date: N/A  
 Time: N/A

**Affects:**

- ☒ All Debtors  
☐ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

**CERTIFICATE OF MAILING OF PROOF OF CLAIM FOR DEAN SHACKLEY**

I hereby certify that on the 12 day of January, 2007, I served the attached **PROOF OF CLAIM FOR DEAN SHACKLEY**, by mailing a copy of the same postage prepaid and addressed to the following:

**GORDON & SILVER, LTD.**

GERALD M. GORDON, ESQ.

BRIGID M. HIGGINS, ESQ.

3960 Howard Hughes Pkwy., 9<sup>th</sup> Floor  
Las Vegas, Nevada 89169

Attorneys for the Official Committee  
of Holders of Executory Contract Rights  
through USA Commercial Mortgage Company

**SCHWARTZER & MCPHERSON LAW FIRM**

LENARD E. SCHWARTZER, ESQ.

JEANETTE E. MCPHERSON, ESQ.

2850 S. Jones Blvd., #1  
Las Vegas, Nevada 89146

Attorneys for Debtors

**OFFICE OF THE UNITED STATES TRUSTEE**

AUGUST LANDIS, ESQ.

300 Las Vegas Blvd., So. #4300  
Las Vegas, Nevada 89101

**LEWIS AND ROCA, LLP**

ROB CHARLES, ESQ.

SUSAN M. FREEMAN, ESQ.

3993 Howard Hughes Pkwy, Suite 600  
Las Vegas, Nevada 89169

Attorneys for Official Committee of  
Unsecured Creditors of USA Commercial  
Mortgage Company

**BECKLEY SINGLETON, CHTD.**

BRETT A. AXELROD, ESQ.

ANNE M. LORDITCH, ESQ.

530 Las Vegas Blvd. So.  
Las Vegas, Nevada 89101

Attorneys for the Official Committee  
of Equity Security Holders of USA  
Capital Diversified Trust Deed Fund, LLC

**SHEA & CARLYON, LTD.**

JAMES PATRICK SHEA, ESQ.

CANDACE C. CARLYON, ESQ.

228 So. Fourth Street, 1<sup>st</sup> Floor  
Las Vegas, Nevada 89101

Attorneys for the Official Committee  
of Equity Security Holders of USA  
Capital First Trust Deed Fund, LLC

  
An Employee of MICHAEL C. VAN, CHTD.

POC  
 MICHAEL C. VAN, ESQ.  
 Nevada Bar No. 003876  
 MICHAEL C. VAN, CHTD.  
 4129 West Cheyenne Avenue, Suite A  
 North Las Vegas, Nevada 89032  
 (702) 215-4816

Attorney for Dean Shackley

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 U.S. BANKRUPTCY COURT  
 PATRICIA GRAY, CLERK

**UNITED STATES BANKRUPTCY COURT  
 FOR THE DISTRICT OF NEVADA**

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In re:  
 USA COMMERCIAL MORTGAGE COMPANY,  
 Debtor.

Case Nos:  
 BK-S-06-10725-LBR  
 BK-S-06-10726-LBR

In re:  
 USA CAPITAL REALTY ADVISORS, LLC,  
 Debtor.

BK-S-06-10727-LBR  
 BK-S-06-10728-LBR  
 BK-S-06-10729-LBR

In re:  
 USA CAPITAL DIVERSIFIED TRUST DEED  
 FUND, LLC, Debtor.

JOINTLY ADMINISTERED  
 Chapter 11

In re:  
 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 Debtor.

**PROOF OF CLAIM FOR DEAN SHACKLEY**

In re:  
 USA SECURITIES, LLC,  
 Debtor.

Affects:  
☒ All Debtors  
☐ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Date: N/A  
 Time: N/A

**PROOF OF CLAIM**

1. The undersigned, whose office is located at 4129 West Cheyenne Avenue, Suite A North Las Vegas, Nevada 89032, is the agent of Dean Shackley, and is authorized to make this Proof of Claim on behalf of the claimant.

2. The Debtor was, at the time of the filing of the Petition initiating this case, and still is indebted to this claimant in the following amount: \$284,784.73.

3. The initial supporting documents for this debt are being provided herewith and additional documents will be provided upon request.

4. Judgment has not been rendered in this claim.

5. The amounts of all payments on this claim have been credited or deducted for the purpose of making this Proof of Claim.

6. This claim is not subject to any setoff or counterclaim.

7. This claim is filled as an UNSECURED claim.

8. TOTAL AMOUNT CLAIMED:

\$284,784.73 (Amount as of 01/09/2007)

9.75% (Interest at legal rate)

**\$312,551.24** Total, plus accruing interest, attorney's fees, and costs.

9. NAME OF CREDITOR: DEAN SHACKLEY

DATED this 9 day of January, 2007.

**MICHAEL C. VAN, CHTD.**

MICHAEL C. VAN, ESQ.

Nevada Bar No. 003876

4129 West Cheyenne Avenue, Suite A  
North Las Vegas, Nevada 89032  
Attorney for Dean Shackley

## Account Transaction Summary

USA Capital Realty Advisors  
4484 South Pecos Road  
Las Vegas, NV 89121

Dean Shackley  
3230 E Flamingo Rd # 8, PMB 271  
Las Vegas, NV 89121

Tom Stewart  
4484 S. Pecos Road  
Las Vegas, NV 89121  
Account #: 7484

## Your Portfolio Summary As Of Thursday, September 01, 2005:

Fund	Number of Units	Current Value
USA Capital Diversified Trust Deed Fund Class N	150,000.000	\$ 150,000.00
<b>Totals</b>		<b>\$ 150,000.00</b>

## USA Capital Diversified Trust Deed Fund - Class N

Trade Date	Trade Type	Amount	Interest To Date	Anniversary Date	Share Balance
01-Aug-2005	Starting Balance				150,000.00
01-Aug-2005	Distribution Paid	\$ 1,301.33	\$ 1,301.33		150,000.00
01-Sep-2005	Distribution Paid	\$ 1,284.97	\$ 2,586.30		150,000.00

## Your Maturity Date Summary As Of Thursday, September 01, 2005:

Purchase Date	Purchase Amount	Anniversary Date
16-Jan-2002	\$75,000.00	16-Jan-2006
16-Feb-2002	\$75,000.00	16-Feb-2006

The Fund paid a return of 10.28% for the month of August, 2005

## Account Transaction Summary

USA Capital Realty Advisors  
4484 South Pecos Road  
Las Vegas, NV 89121

Dean F. Shackley IRA  
3230 E Flamingo Rd # 8, PMB #271  
Las Vegas, NV 89121

First Savings Bank C/F  
Dean F. Shackley IRA  
2605 E. Flamingo Road  
Las Vegas, NV 89121  
Account #: 9162

## Your Portfolio Summary As Of Thursday, September 01, 2005:

Fund	Number of Units	Current Value
USA Capital Diversified Trust Deed Fund Class N	134,784.730	\$ 134,784.73
<b>Totals</b>		<b>\$ 134,784.73</b>

## USA Capital Diversified Trust Deed Fund - Class N

Trade Date	Trade Type	Amount	Interest To Date	Anniversary Date	Share Balance
01-Aug-2005	Starting Balance				132,490.48
01-Aug-2005	Distribution Reinvested	\$ 1,149.43	\$ 1,149.43		133,639.91
01-Sep-2005	Distribution Reinvested	\$ 1,144.82	\$ 2,294.25		134,784.73

## Your Maturity Date Summary As Of Thursday, September 01, 2005:

Purchase Date	Purchase Amount	Anniversary Date
01-May-2003	\$75,000.00	01-May-2006
16-Sep-2003	\$25,000.00	16-Sep-2005
16-Nov-2003	\$50,000.00	16-Nov-2005
01-Feb-2004	\$25,000.00	01-Feb-2006

The Fund paid a return of 10.28% for the month of August, 2005

USA Capital Realty Advisors  
4484 South Pecos Road  
Las Vegas, NV 89121

## Account Transaction Summary

Dean Shackley  
3230 E Flamingo Rd # 8, PMB 271  
Las Vegas, NV 89121

Tom Stewart  
4484 S. Pecos Road  
Las Vegas, NV 89121  
Account #: 7484

### Your Portfolio Summary As Of Saturday, October 01, 2005:

Fund	Number of Shares	Last Price (USD)	Market Value (USD)	**% Port.
USA Capital Diversified Trust Deed Fund	150,000.00	1.00	150,000.00	100.00%
<b>Total</b>			<b>150,000.00</b>	

\*When applicable, the % of portfolio is calculated using the US dollar equivalent value at current exchange rates

### USA Capital Diversified Trust Deed Fund - Class N

Trade Date	Trade Type	Amount	Shares Transacted	Price/Share	Balance
01-Sep-2005	Starting Balance				150,000.00
01-Sep-2005	Daily Accrued Dividend ACH	1,284.97	0.00	1.00	150,000.00
01-Oct-2005	Daily Accrued Dividend ACH	1,147.47	0.00	1.00	150,000.00

This distribution does NOT include any return of capital.

This payment represents a return of cash paid interest of 9.18% per annum for the month of September, 2005

The Fund also has accrued additional unpaid interest of 0.9%, which will be distributed as it is received.

Does this go  
to First Savings?

USA Capital Realty Advisors  
 4484 South Pecos Road  
 Las Vegas, NV 89121

Dean F. Shackley IRA  
 3230 E Flamingo Rd # 8, PMB #271  
 Las Vegas, NV 89121

First Savings Bank C/F  
 Dean F. Shackley IRA  
 2605 E. Flamingo Road  
 Las Vegas, NV 89121  
 Account #: 9162

Four Portfolio Summary As Of Saturday, October 01, 2005:

Fund	Number of Shares	Last Price (USD)	Market Value (USD)	% Port.
USA Capital Diversified Trust Deed Fund	134,784.73	1.00	134,784.73	100.00%
<b>Total</b>			<b>134,784.73</b>	

\*When applicable, the % of portfolio is calculated using the US dollar equivalent value at current exchange rates

USA Capital Diversified Trust Deed Fund - Class N

Trade Date	Trade Type	Amount	Shares Transacted	Price/Share	Balance
01-Sep-2005	Starting Balance				133,639.91
01-Sep-2005	Daily Accrued Dividend Reinvest	1,144.82	1,144.82	1.00	134,784.73
01-Oct-2005	Daily Accrued Dividend Check	1,031.08	0.00	1.00	134,784.73

This distribution does NOT include any return of capital.

This payment represents a return of cash paid interest of 9.18% per annum for the month of September, 2005  
 The Fund also has accrued additional unpaid interest of 0.9%, which will be distributed as it is received.



USA Capital Realty Advisors  
 4484 South Pecos Road  
 Las Vegas, NV 89121

## Account Transaction Summary

Dean Shackley  
 3230 E Flamingo Rd # 8, PMB 271  
 Las Vegas, NV 89121

Tom Stewart  
 4484 S. Pecos Road  
 Las Vegas, NV 89121  
 Account #: 7484

### Your Portfolio Summary As Of Tuesday, November 01, 2005:

Fund	Number of Shares	Last Price (USD)	Market Value (USD)	% Port.
USA Capital Diversified Trust Deed Fund	150,000.00	1.00	150,000.00	100.00%
<b>Total</b>			<b>150,000.00</b>	

\*When applicable, the % of portfolio is calculated using the US dollar equivalent value at current exchange rates

### USA Capital Diversified Trust Deed Fund - Class N

Trade Date	Trade Type	Amount	Shares Transacted	Price/Share	Balance
01-Oct-2005	Starting Balance				150,000.00
01-Oct-2005	Daily Accrued Dividend ACH	1,147.47	0.00	1.00	150,000.00
01-Nov-2005	Daily Accrued Dividend ACH	1,148.94	0.00	0.00	150,000.00

This distribution does NOT include any return of capital.

This payment represents a return of cash paid interest of 9.19% per annum for the month of September, 2005.

The Fund also has accrued additional unpaid interest of 0.94%, which will be distributed as it is received.

USA Capital Realty Advisors  
 4484 South Pecos Road  
 Las Vegas, NV 89121

## Account Transaction Summary

Dean F. Shackley IRA  
 3230 E Flamingo Rd # 8, PMB #271  
 Las Vegas, NV 89121

First Savings Bank C/F  
 Dean F. Shackley IRA  
 2605 E. Flamingo Road  
 Las Vegas, NV 89121  
 Account #: 9162

### Your Portfolio Summary As Of Tuesday, November 01, 2005:

Fund	Number of Shares	Last Price (USD)	Market Value (USD)	% Port.
USA Capital Diversified Trust Deed Fund	134,784.73	1.00	134,784.73	100.00%
<b>Total</b>			<b>134,784.73</b>	

\*When applicable, the % of portfolio is calculated using the US dollar equivalent value at current exchange rates

#### USA Capital Diversified Trust Deed Fund - Class N

Trade Date	Trade Type	Amount	Shares Transacted	Price/Share	Balance
01-Oct-2005	Starting Balance				134,784.73
01-Oct-2005	Daily Accrued Dividend Check	1,031.08	0.00	1.00	134,784.73
01-Nov-2005	Daily Accrued Dividend Check	1,032.40	0.00	0.00	134,784.73

This distribution does NOT include any return of capital.

This payment represents a return of cash paid interest of 9.19% per annum for the month of September, 2005.

The Fund also has accrued additional unpaid interest of 0.94%, which will be distributed as it is received.

USA Capital Realty Advisors  
 4484 South Pecos Road  
 Las Vegas, NV 89121

## Account Transaction Summary

Dean F. Shackley IRA  
 3230 E Flamingo Rd # 8, PMB #271  
 Las Vegas, NV 89121

First Savings Bank C/F  
 Dean F. Shackley IRA  
 2605 E. Flamingo Road  
 Las Vegas, NV 89121  
 Account #: 9162

### Your Portfolio Summary As Of Thursday, December 01, 2005:

Fund	Number of Shares	Last Price (USD)	Market Value (USD)	% Port.
USA Capital Diversified Trust Deed Fund	134,067.54	1.00	134,067.54	100.00%
<b>Total</b>			<b>134,067.54</b>	

\*When applicable, the % of portfolio is calculated using the US dollar equivalent value at current exchange rates

#### USA Capital Diversified Trust Deed Fund - Class N

Trade Date	Trade Type	Amount	Shares Transacted	Price/Share	Balance
01-Nov-2005	Starting Balance				134,784.73
01-Nov-2005	Daily Accrued Dividend Check	1,032.40	0.00	0.00	134,784.73
01-Dec-2005	Redemption	-717.19	-717.19	1.00	134,067.54
	Normal Distribution				
01-Dec-2005	Daily Accrued Dividend Check	1,008.29	0.00	1.00	134,067.54

This distribution includes a 0.5321% return of capital.

This payment represents a return of cash paid interest of 8.98% per annum for the month of November, 2005.

The Fund also has accrued additional unpaid interest of 0.91%, which will be distributed as it is received.

USA Capital Realty Advisors  
4484 South Pecos Road  
Las Vegas, NV 89121

*Paul Hamilton*

## Account Transaction Summary

*Phil Dickinson*

*734-2460*

Dean Shackley  
3230 E Flamingo Rd # 8, PMB 271  
Las Vegas, NV 89121

Tom Stewart  
4484 S. Pecos Road  
Las Vegas, NV 89121  
Account #: 7484

### Your Portfolio Summary As Of Thursday, December 01, 2005:

Fund	Number of Shares	Last Price (USD)	Market Value (USD)	% Port.
USA Capital Diversified Trust Deed Fund	149,201.85	1.00	149,201.85	100.00%
<b>Total</b>			<b>149,201.85</b>	

\*When applicable, the % of portfolio is calculated using the US dollar equivalent value at current exchange rates

#### USA Capital Diversified Trust Deed Fund - Class N

Trade Date	Trade Type	Amount	Shares Transacted	Price/Share	Balance
01-Nov-2005	Starting Balance				150,000.00
01-Nov-2005	Daily Accrued Dividend ACH	1,148.94	0.00	0.00	150,000.00
01-Dec-2005	Redemption	-798.15	-798.15	1.00	149,201.85
01-Dec-2005	Daily Accrued Dividend ACH	1,122.11	0.00	1.00	149,201.85

This distribution includes a 0.5321% return of capital.

This payment represents a return of cash paid interest of 8.98% per annum for the month of November, 2005.

The Fund also has accrued additional unpaid interest of 0.91%, which will be distributed as it is received.

USA Capital Realty Advisors  
 4484 South Pecos Road  
 Las Vegas, NV 89121

## Account Transaction Summary

Dean Shackley  
 3230 E Flamingo Rd # 8, PMB 271  
 Las Vegas, NV 89121

Tom Stewart  
 4484 S. Pecos Road  
 Las Vegas, NV 89121  
 Account #: 7484

### Your Portfolio Summary As Of Sunday, January 01, 2006:

Fund	Number of Shares	Last Price (USD)	Market Value (USD)	% Port.
USA Capital Diversified Trust Deed Fund	147,081.54	1.00	147,081.54	100.00%
<b>Total</b>			<b>147,081.54</b>	

\*When applicable, the % of portfolio is calculated using the US dollar equivalent value at current exchange rates

#### USA Capital Diversified Trust Deed Fund - Class N

Trade Date	Trade Type	Amount	Shares Transacted	Price/Share	Balance
01-Dec-2005	Starting Balance				150,000.00
01-Dec-2005	Redemption	-798.15	-798.15	1.00	149,201.85
01-Dec-2005	Daily Accrued Dividend ACH	1,122.11	0.00	1.00	149,201.85
01-Jan-2006	Redemption	-2,120.31	-2,120.31	1.00	147,081.54
01-Jan-2006	Daily Accrued Dividend ACH	1,162.81	0.00	1.00	147,081.54

This distribution includes a 1.4136% return of capital.

This payment represents a return of cash paid interest of 9.35% per annum for the month of December, 2005.  
 The Fund also has accrued additional unpaid interest of 0.956%, which will be distributed as it is received.

USA Capital Realty Advisors  
 4484 South Pecos Road  
 Las Vegas, NV 89121

Dean F. Shackley IRA  
 3230 E Flamingo Rd # 8, PMB #271  
 Las Vegas, NV 89121

First Savings Bank C/F  
 Dean F. Shackley IRA  
 2605 E. Flamingo Road  
 Las Vegas, NV 89121  
 Account #: 9162

**Your Portfolio Summary As Of Sunday, January 01, 2006:**

Fund	Number of Shares	Last Price (USD)	Market Value (USD)	% Port.
USA Capital Diversified Trust Deed Fund	132,162.31	1.00	132,162.31	100.00%
<b>Total</b>			<u>132,162.31</u>	

\*When applicable, the % of portfolio is calculated using the US dollar equivalent value at current exchange rates

**USA Capital Diversified Trust Deed Fund - Class N**

Trade Date	Trade Type	Amount	Shares Transacted	Price/Share	Balance
01-Dec-2005	Starting Balance				134,784.73
01-Dec-2005	Redemption	-717.19	-717.19	1.00	134,067.54
	Normal Distribution				
01-Dec-2005	Daily Accrued Dividend Check	1,008.29	0.00	1.00	134,067.54
01-Jan-2006	Redemption	-1,905.23	-1,905.23	1.00	132,162.31
	Normal Distribution				
01-Jan-2006	Daily Accrued Dividend Check	1,044.86	0.00	1.00	132,162.31

This distribution includes a 1.4136% return of capital.

This payment represents a return of cash paid interest of 9.35% per annum for the month of December, 2005.

The Fund also has accrued additional unpaid interest of 0.956%, which will be distributed as it is received.